

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

Secretary of State
1700 W. Washington Street, 7th Floor
Phoenix, AZ 85007

The undersigned intends to circulate and file an INITIATIVE or a **REFERENDUM** (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or **CONSTITUTIONAL AMENDMENT** (circle appropriate word) intended to be INITIATED or **REFERRED** (circle appropriate word) at the next general election.

SUMMARY: A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

This law will add a new law to provide certain mandatory monetary compensation to a person wrongfully convicted of a crime and to apportion the payment between to government entities. The compensation will be \$1000 per day of incarceration resulting from the wrongful conviction. Fifty percent of the compensation is to be paid by the county where the conviction occurred and fifty percent is to be paid by the law enforcement agency initiating the arrest.

X *Janice Salerno*
Signature of Applicant

Janice Salerno
Printed Name of Applicant

4554 W. Paradise Dr.
Address

Glendale, AZ 85304
City State Zip

602-843-9263
Telephone Number

FOX PENNENS Supporting
unprofitable convicted compensation ACT

FOX PETITIONS, LLC

Name of Organization (if any)

5830 W. Thunderbird RD, Ste B8-403

Address

Glendale, AZ 85306-0900

City State Zip

Telephone Number

JANICE Salerno - Chairman

Name of Officer and Title

5830 W. Thunderbird RD, Ste B8-403

Address

Date of Application September 28, 2011

Signatures Required 172, 809

Deadline for Filing July 5, 2012

Serial Number Issued I - 12-2012

FOR OFFICE USE ONLY

Glendale, AZ 85306-0900
City State Zip

Telephone Number

FOX SALERNO - TREASURER
Name of Officer and Title

5830 W. Thunderbird RD, Ste B8-403
Address

Glendale, AZ 85306-0900
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SECRETARY OF STATE

Revised 11/92

CFID# 201200210

OFFICIAL TITLE

ADDING SECTION 13-4052, ARIZONA REVISED STATUTES, RELATING TO COMPENSATION FOR WRONGFUL CRIMINAL CONVICTION.

TEXT OF PROPOSED AMENDMENT

Be it enacted by the people of the state of Arizona:

Section 1. Title.

This act may be cited as the "Wrongful Conviction Compensation Act."

Section 2. Findings.

The People of Arizona find and declare the following:

A person wrongfully convicted for a crime and incarcerated deserves monetary compensation for loss of freedom, liberty and income. Needless litigation results from persons wrongfully convicted of a crime. Economic incentives will require counties and law enforcement agencies to ensure that person are not wrongfully convicted.

Therefore, the purpose of this Act is to monetarily compensate those persons wrongfully convicted of a crime.

Section 3. Section 13-4052, Arizona Revised Statutes, is added to read:

13-4052. COMPENSATION FOR WRONGFUL CONVICTION.

A. A PERSON CONVICTED OF ANY CRIME IN A CRIMINAL PROCEEDING BY A JURY, AND WHO IS THEREAFTER EXONERATED OF GUILT FOR THE CONVICTION BY A COURT OF LAW SHALL RECEIVE COMPENSATION AS SET FORTH IN THIS SECTION.

B. THE COMPENSATION FOR A PERSON IN SUBSECTION A SHALL BE ONE THOUSAND DOLLARS FOR EACH DAY OF INCARCERATION RESULTING FROM THE CONVICTION. THE PAYMENT OF COMPENSATION SHALL BE MADE IN A LUMP-SUM WITHIN 30 DAYS OF THE FINAL DECISION BY A COURT OF LAW EXONERATING THE PERSON OF GUILT.

C. FIFTY PERCENT OF THE COMPENSATION SHALL BE PAID BY THE COUNTY WHERE THE CONVICTION OCCURRED. FIFTY PERCENT OF THE COMPENSATION SHALL BE PAID BY THE LAW ENFORCEMENT AGENCY INITIATING THE ARREST OF THE PERSON.

D. COMPENSATION SHALL BE MADE WITHOUT REGARD TO THE PERSON'S CONCURRENT OR CONSECUTIVE INCARCERATION FOR A SEPARATE CONVICTION THAT WAS NOT WRONGFUL.

E. ANY PERSON WHO RECEIVES AND ACCEPTS COMPENSATION PURSUANT TO THIS SECTION WAIVES AND RELEASES ALL LEGAL CLAIMS PERTAINING TO THE CONVICTION AND EXONERATION.

Section 4. Effective Date.

This act shall be effective upon certification of the secretary of state.

Furthermore, the provisions of this act shall be made retroactive to all living persons incarcerated and exonerated of the criminal conviction on or before the date of certification of the secretary of state.

Section 5. Severability.

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

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SECRETARY OF STATE